

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

HENRY C. LATHAM,

Plaintiff,

-against-

JOHN; GEORGE; BENNETT; DAVID; and  
RICHARD,

Defendants.

X

JUDGMENT  
09-CV- 3398 (JG)

**FILED**  
IN CLERK'S OFFICE  
U S DISTRICT COURT E.D.N.Y  
★ AUG 25 2009 ★

P.M. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

A Memorandum and Order of Honorable John Gleeson, United States District Judge, having been filed on August 20, 2009, dismissing the action without prejudice; certifying pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Court's Memorandum and Order would not be taken in good faith; and denying *in forma pauperis* status for the purpose of an appeal; it is

ORDERED and ADJUDGED that plaintiff take nothing of the defendants; that the action is dismissed without prejudice; that pursuant to 28 U.S.C. § 1915(a)(3) any appeal from the Court's Memorandum and Order would not be taken in good faith; and that *in forma pauperis* status is denied for the purpose of an appeal.

Dated: Brooklyn, New York  
August 25, 2009

25

ROBERT C. HEINEMANN  
Clerk of Court

*By* / Terry Vaughn  
*Chief Deputy*